UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

FLOYD SAMPA,)
Plaintiff,))
vs.	Case No. 4:06CV17CDP(MLM
TROY STEELE,1)
Defendant.)

ORDER

This matter is before the court on Petitioner's Motion for Evidentiary Hearing. [Doc. 12] Pursuant to Rule 8(a) of the Rules Governing Section 2254 Cases in the United States District Courts, "If the petition is not dismissed, the judge must review the answer, any transcripts and records of state-court proceedings and any materials submitted under Rule 7 to determine whether an evidentiary hearing is warranted." In his Petition, petitioner raises a single claim. He claims that his plea counsel provided ineffective assistance under the Sixth and Fourteenth Amendments by failing to tell him he could receive a life sentence if he entered a blind plea. The court has reviewed the Petition, the respondent's Response and the available records of state court proceedings. The court finds that an evidentiary hearing is not warranted.

Accordingly,

IT IS FURTHER ORDERED that Petitioner's Motion for Evidentiary Hearing is DENIED. [Doc. 12]

/s/Mary Ann L. Medler MARY ANN L. MEDLER UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of July, 2006.

At the time of the original filing Chuck Dwyer was the proper party respondent. Petitioner states that Troy Steele is now the proper party respondent.

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